REMARKS

The Applicants thank the Examiner for the allowance of claims 28-36 and for indication that claims 6-9, 12-14, 16 and 19-27 include allowable subject matter. Claims 1 - 36 are pending in this application. In view of the following remarks, it is respectfully submitted that all of the pending claims are allowable.

Claims 1, 2, 4, 5, and 15 have been rejected under 35 U.S.C. § 102(a) as anticipated by U.S. Patent Publication No. 2003/0069592 to Adams et al. ("Adams"). The Examiner stated in support of the rejection that a capsule 1204 of the device of Adams is capable of providing a first user feedback indicating the clip configuration and that a ball connector 1202 provides a second user feedback indicating separation of the clip assembly 1201 from the shaft 1206. (*5/11/05 Office Action*, p. 5).

Claim 1 recites an apparatus for deployment of a hemostatic clip comprising "a handle assembly" and "a shaft connected to a distal portion of the handle assembly" in combination with "a clip assembly releasably coupled to a distal portion of the shaft, the clip assembly including clip arms and a capsule cooperating with the clip arms *to provide a first user feedback indicating a decision configuration of the clip assembly*" and "a control wire including a ball connector, the control wire extending from the handle assembly and coupled to the clip assembly by the ball connector to maintain the clip assembly coupled to the shaft, wherein the ball connector is detachable from the clip assembly *to provide a second user feedback indicating separation of the clip assembly from the shaft.*"

Adams nowhere discloses that a user feedback is provided by the clipping device or the components thereof. Adams at best merely states that the user receives feedback regarding operation of the device due to optical components of the endoscope, which houses the device.

That is, "[t]he success or failure of the application of pressure can be reviewed through the optical components provided separately in the endoscope." (*Adams*, ¶ [0102]). Accordingly, Adams fails to teach or suggest wherein a "clip assembly including clip arms and a capsule cooperating with the clip arms" provides a user feedback, or wherein "ball connector is detachable from the clip assembly to provide a second user feedback indicating separation of the clip assembly from the shaft," as recited in claim 1.

Further, Adams states, "when the sheath 1206 is pulled back through the working channel (not shown) of the endoscope (not shown), the outer sleeve 1204 will release with the clip 1201." (*Adams*, ¶ [0084]). At this point, the ball 1202 has already been separated from the clip 1201 and cannot therefore provide any indication to a user that the clip 1201 has been separated from the shaft 1206. Specifically, when the control wire 1207 is pulled proximally, the clip 1201 is drawn proximally through the sleeve 1204 until the tabs 1203reach the cut-outs 1205. At this point, the bias of the clip 1201 causes the socket tabs 1203 of the clip 1201 to move outward into the cut-outs 1205 clamping the arms of the clip 1201 shut. As the socket tabs 1203 move apart, the ball 1202 is released from the clip 1201 as shown in Fig. 12b. At this point the clip 1201 and the outer sleeve 1204 are still coupled to the sheath 1206. It is only after the release of the ball 1202 -- i.e., when tissue is clamped by the arms of the clip 1201 – that the clip 1201 is ready to be separated from the sheath 1206. The user then pulls the sheath 1206 back through the working channel of the endoscope to separate the outer sleeve 1204 from the sheath 1206, thereby releasing the clip 1201 from the sheath 1206. Thus, any feedback a user gets from the ball 1202 is prior to the release of the clip from the shaft.

It is therefore respectfully submitted that Adams fails to disclose or suggest "a control wire including a ball connector, the control wire extending from the handle assembly and coupled to the clip assembly by the ball connector to maintain the clip assembly coupled to the shaft, wherein the ball connector is detachable from the clip assembly to provide a second user feedback indicating separation of the clip assembly from the shaft," as recited in claim 1. Therefore, Applicants respectfully request that the rejection of claim 1 be withdrawn. Because

claims 2, 4, 5 and 15 depend from, and, therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are also allowable.

Claims 3, 10, 11, 17, and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Adams in view of U.S. Patent No. 6,814,742 to Kimura et al. ("Kimura"). The Examiner stated in support of the rejection that Adams shows the invention substantially as recited in claim 1 from which these claims depend but is silent with respect to the recitations of the individual dependent claims, but that Kimura overcomes these deficiencies.

As stated above, applicants respectfully submit that Adams does not show the invention as claimed in claim 1. Furthermore, it is respectfully submitted that Kimura does not cure the above-noted deficiencies of Adams. That is, Kimura does not disclose or suggest "a control wire including a ball connector, the control wire extending from the handle assembly and coupled to the clip assembly by the ball connector to maintain the clip assembly coupled to the shaft, *wherein the ball connector is detachable from the clip assembly to provide a second user feedback indicating separation of the clip assembly from the shaft*," as recited in claim 1. Thus, because claims 3, 10, 11, 17, and 18 depend from and therefore include all of the limitations of claim 1, it is respectfully submitted that these claims are allowable.

Claims 6 - 9, 12 - 14, 16 and 19 - 27 stand objected to as dependent upon a rejected base claim. In view of the above remarks concerning the allowability of the claims from which these claims depend, it is respectfully submitted that these claims are in condition for allowance.

CONCLUSION

It is therefore respectfully submitted that all of the pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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